

TOWN OF DUNE ACRES
COUNCIL MINUTES
for October 19, 2004

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, October 19, 2004 at the Town Hall.

Town Council President Benjamin Bolton called the meeting to order at 7:05 p.m. with Councilpersons Benjamin Bolton and Louise Roberts, Clerk-Treasurer Anne Hiestand and Atty. Tim Sendak, in place of Town Attorney Dan Whitten, in attendance. Council President Ben Bolton opened the meeting with the pledge of allegiance.

APPROVAL OF MINUTES:

The minutes of the September 14, 2004 meeting were reviewed. Councilperson John Wilhelm moved that the minutes be approved as presented. Councilperson Louise Roberts seconded the motion and it unanimously carried.

FINANCIAL REPORT FOR THE TOWN OF DUNE ACRES as of September 30, 2004:

DA Checking account at Bank	\$34,035.45
DA Money market acct. at Bank	\$138,520.92
DA Water Utility Checking account at First State Bank of	\$341,548.37
TOTAL	\$514,104.74

Councilperson Louise Roberts made a motion to accept the financial report as submitted, which motion was seconded by Councilperson John Wilhelm and the motion unanimously carried.

PAYMENT OF THE CLAIMS:

Councilperson John Wilhelm made the motion to approve the claims as presented. Councilperson Louise Roberts seconded the motion and it unanimously carried. There was a consensus by the Town Council that any monies needed to pay for the sprinkler system project above the monies donated to the Town by the Dune Acres Civic Improvement Foundation should be paid 50% by the Water Fund and 50% by the Cumulative Capital Development Fund.

CLAIMS APPROVED FOR THE TOWN OF DUNE ACRES for October 2004:

Andrew W. Belsha	September 2004 Payroll	\$655.14
Atha W. Belsha	September 2004 Payroll	\$1,172.30
Raymond C. Friday	September 2004 Payroll	\$451.01
Anne Hiestand	September 2004 Payroll	\$354.59
David W. Kristophel	September 2004 Payroll	\$698.24
Philip A. Lepley	September 2004 Payroll	\$930.58
Nick Markovich	September 2004 Payroll	\$930.58
Terry R. Trout	September 2004 Payroll	\$501.99
Garrett L. Tyrrell	September 2004 Payroll	\$869.03
John T. Vucko	September 2004 Payroll	\$72.20
Bank One	September 2004 Payroll	\$1,723.28
Indiana Dept. of Revenue	September 2004 Payroll	\$297.34
Treasurer State of Indiana	Loan payoff	\$129,412.50
Able Disposal	Monthly garbage service	\$36.12
NIPSCO	Gas & electric	\$333.41
Ray Friday	Use of Truck for September	\$86.76
Nextel	Monthly Service	\$65.73
Verizon North	Monthly phone	\$134.70
Pinkerton Fuels & Lubricants	Monthly gasoline for vehicles	\$98.16
Martin Security Systems, Inc.	Clubhouse monitoring	\$60.00
Interstate Rentals	Brush chipper	\$390.00
Lawson Rental & Sales	Brush chipper	\$185.00
Hopkins Ace Hardware	Sprinkler System Supplies	\$124.22
Hopkins Ace Hardware	Maintenance Supplies	\$129.61
Hopkins Ace Hardware	Supplies	\$13.83
Hopkins Ace Hardware	Bulletin Board	\$2.99
Microbac Laboratories, Inc.	Water Testing	\$208.00
Circle "R" Mechanical, Inc.	Install water pipe	\$2,040.00

Anne Hiestand	Stamps	\$37.00
Anne Hiestand	Volunteer Party	\$55.53
John Wilhelm	Volunteer Party	\$177.52
Louise Roberts	Volunteer Party	\$102.56
Ben Bolton	Volunteer Party	\$108.91
Jon's Tree Service	Tree cleanup	\$400.00
Bank One Credit Card	Tetherball	\$19.07
Bank One Credit Card	Cleaning supplies	\$3.81
Bank One Credit Card	Supplies for sprinkler	\$1,702.49
K-Mart	Supplies	\$73.11
South Shore Marina, Inc.	Retrieve buoys & store	\$910.00
LaCorte Heating & AC	Conduit & wiring caisson to pumphouse	\$3,205.00
Newark InOne	Electric items for sprinkler	\$140.81
		\$148,913.12

CORRESPONDENCE: Email correspondence from resident Patrice Bapst was received by Town Council President Ben Bolton. He reviewed the substance of the letter and suggested the items, winter roads and deer cull, be taken up later in the meeting. He indicated that a deer cull permit had been received but no particulars had been decided at this time.

A letter from resident Kermit Myers, 70 East Road, was read suggesting that security officer patrols were no longer necessary at the beaches during the summer months. He also suggested that the opening from the parking lot to East Beach be narrowed to discourage vehicle traffic on the beach. In a related matter, Council President Ben Bolton said that a contractor for Hugo Brandstetter had used the parking lot for construction staging and would fix the damage that he had caused. He also mentioned a problem with a recent party at the Clubhouse spilling over on to the soccer field and East Beach. The Town Council agreed that parties at the Clubhouse need to be reminded they are restricted to the Clubhouse and use of the whole town.

COMMISSION REPORTS:

ENVIRONMENT: The Town Council welcomed back Environment Commissioner Sue Smith. She reported that Environmental Commission member Mary Ann Crayton had made a poster identifying invasive plants. The biggest problem the Town is facing right now is the very invasive oriental bittersweet. Residents are encouraged to cut it down and paint it with brush kill. There will be a walk through Town October 26th at 10 o'clock by the Environmental Commission and Paul Labus of the Nature Conservancy and Noel Pavlovic, of the Indiana Dunes National Lakeshore. They will recommend a management plan for the Town to eradicate the invasive species. Commissioner Smith also stressed that garlic mustard can still be pulled and then sprayed with Roundup or Killz All. It will stay green under the snow all winter. Another invasive plant that residents are requested to remove is Japanese barberry. Please clip the branches and paint. Kudzu is a threat moving north through LaPorte County. The Environmental Commission is looking into grants to get rid of these plants. Commissioner Smith commended the work by Ray Friday along Mineral Springs Road, trimming back the willows. She plans to go to the IDEM meeting in Ogden Dunes on October 28, 2004 to see what they report

FIRE: Fire Commissioner Mark Hull was absent. Councilperson John Wilhelm reminded residents that October is Fire Prevention Month and that they should change the batteries in their smoke detectors when the time changed at the end of October. Families should also review procedures to be used in case of fire including but not limited to escape routes and stop, drop and roll. Residents were reminded to call 911 in case of emergency not the gatehouse. The gatehouse can be called after 911 to inform the security officers of the problem and let them prepare maps for the fire fighters to use when they arrive.

MUNICIPAL CODE: Resident Bill Nixon, 14 East Road, presented a report on the progress of developing a Municipal Code and codifying Ordinances. He recommended the Town hire Municipal Code Corporation to do the job for the Town for a cost of \$7,500 payable over three years. He brought a very impressive sample book for the Town Council to review. The Code would include software and an index and be available online to cut down the number of copies that would have to be updated. An update could be done each year for \$200.00 or as needed. A

one-third down payment must be made when the proposal is accepted. He researched other companies, but Municipal Code Corporation were the most responsive and helpful. The Town Council thanked Mr. Nixon for all his hard work and research.

ROADS: Road Commissioner Irv Call reported that the willows had been trimmed along Mineral Springs Road. The speed bumps ordered in September had been mistakenly sent to the Town of Burns Harbor, returned to supplier and eventually received by Dune Acres. He had used heavy sand and gravel to create temporary curbing to prevent wash outs and filled the washout in Ridge Beach path. Councilperson John Wilhelm reported that the Town of Dune Acres had 3.5" of rain in one and a half hours last Thursday October 14th.

BUILDING COMMISSION: Building Commissioner John Sullivan reported that all construction was progressing. The most recent new construction approved by the Plan Commission is by Richard and Bonnie Hawksworth at 3 Cypress Lane.

PARKS: Park Commissioner Kellie Klein was absent. John Sullivan thanked resident John Crayton, 2 Crest Drive, for purchasing soccer nets for the soccer field. He reported that there is a game each Sunday at 3:00 p.m.

BEACH: Beach Commissioner Rob Carstens was out of town. The swimming buoys have been removed for the winter. Clerk-Treasurer Anne Hiestand reported that the Town has lost two buoys and gained one. Resident Jonathan Mickelson, 74 West Road, has donated \$1,000 to the Town for purchase of two buoys to be placed at the west end of the town shoreline.

MAINTENANCE: Maintenance Commissioner Bill Griffin was out of town.

POLICE: Police Commissioner Cecilia Call reported that all is well. Security Officer Nick Markovich recently celebrated his 83rd birthday.

WATER: Council President Ben Bolton reported that Indiana American Water Co. Is ready to start the Oak Drive project.

OLD BUSINESS: The Town Council members had each received a copy of the Auxiliary Structure Committee report. Council President Ben Bolton summarized the recommendations. Councilperson John Wilhelm responded that the Town Council accepted the report and greatly appreciated all the work that the Committee had done and thanked them for their service to the Town. Recommendations included enlargement of the south window and replacement of the HVAC mechanicals at the Gatehouse. If storage needs exceed the space available at the Pumphouse, it could expanded by one bay to the north. Building Commissioner John Sullivan said he hopes the Town will be better able to coordinate maintenance needs and special projects and to move away from crisis management and better maintain the Town's infrastructure.

It was decided that the Clubhouse needs a new septic tank and field is needed and that the old septic tank needed to be pumped out and filled in. There is a concrete pad in the way which must be removed. Clubhouse Coordinator Tom Roberts sent word that the estimates for doing the necessary work were \$5,800 and \$6,100. He recommended R.V. Sutton be hired for the project. The Town Council asked that he proceed with the septic replacement project. Replacement of logs at the Clubhouse will be discussed at the November meeting.

NEW BUSINESS: Councilperson Louise Roberts made a motion that Trick or Treat night in Dune Acres be Sunday, October 31, 2004 between the hours of 4:00 p.m. and 6:00 p.m. Councilperson John Wilhelm seconded the motion. The motion carried unanimously.

In response to action taken at a special Plan Commission meeting held at 6:30 p.m. before this meeting, Councilperson John Wilhelm made a motion to grant a building permit to Rob & Kelly Hundt and Contractor Artisan Design & Construction owned by Mike Bianco of Valparaiso. They are replacing a sunroom with a four season room. Councilperson Louise Roberts seconded the motion. The motion carried unanimously. Clerk-Treasurer issued Building Permit 2004-10 to Artisan Construction after receiving the necessary fees from Mr. Bianco.

Councilperson John Wilhelm made a motion to approve new construction at 3 Cypress by Richard and Bonnie Hawksworth which had been approved at a previous Plan Commission meeting. Councilperson Louise Roberts seconded the motion. The motion passed unanimously. The Town requested two sets of plans, one to be signed by the Town Council and given to Plan Commission Secretary Joan Rearick and the other set to be given to the Building Commissioner John Sullivan.

Botanist Sandy O'Brien was present requesting that the Town Council wave the \$500 fine for open burning when she performs controlled burns at 76 West Road, 2 Pine Lane and 8 Pine Lane. Environment Commissioner Sue Smith reported that resident Jean Tonner, 27 Crest Drive, had expressed very serious concerns about the safety of controlled burns. Ms. O'Brien was told that the Town needs to be listed as additional insured on certificate of liability insurance for any burns approved by IDEM done within the Town. Attorney Sendak recommended that the Town's insurance ought to cover liabilities up to five million dollars. Resident Barbara Plampin, 18 East Road, reported that National Lakeshore is planning three controlled burns in the Howes Prairie area.

Councilperson Louise Roberts asked for the Town's support with the annual Toys for Kids drive this year. She and her husband, Tom Roberts, are looking forward to another successful year. Councilperson John Wilhelm made a motion to support the Roberts' effort to collect toys and money for the Toys for Kids drive sponsored by the Duneland Exchange Club. It was unanimously agreed.

Councilperson Louise Roberts also reported that she had been contacted by VNA about flu shots. They are scheduled to come to Dune Acres 10 -11 a.m. on November 18, 2004. The shots will be given at the Town Hall. They hope to have thirty shots available.

Councilperson John Wilhelm reported that Rob and Sue Smith's son, Jeffrey Smith, has been deployed to Iraq. He wanted to express his and the Town's appreciation for Jeff's service to our country. Sue said he is part of a Stryker tank unit, new rubber-tired tanks with an eleven person crew, operating north of Mosul Iraq. We all wish him the best.

QUESTIONS & DISCUSSION: Resident Brian McLaughlin, 75 East Road, reported to the Town Council that the rainfall last Thursday had deposited a foot of water in the lower level of his house. He asked that the dry well across the street from his property be put on the maintenance schedule and any other remedies be done that the Town is willing to do.

Resident Bob Hartmann, 36 East Road, asked that the Town not use slag which contains phosphorous sulfur on the roads this winter. He believes it is much worse than salt and packs with ice making the roads more slippery. He said that salt is a better agent since it is water soluble and even lowers the freezing temperature. Council President Ben Bolton spoke in favor of slag sand. Road Commissioner Irv Call said he had checked with surrounding towns. Porter Beach uses rock salt and Ogden Dunes uses Cargill salt and sand on their grades. Councilperson John Wilhelm reported that the Town has never had a policy of "clean" roads because of the salt damage issue also it would be cost prohibitive to keep the roads perfectly clean.

ADJOURNMENT:

At 9:05 p.m. Council President Bolton entertained a motion from Councilperson John Wilhelm to adjourn the meeting. The meeting was adjourned.

Benjamin Bolton, Council President

John Wilhelm, Councilperson

Louise Roberts, Councilperson

Anne Hiestand, Clerk-Treasurer